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COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 13, 2001

APPLICATION OF

DOMINION RETAIL, INC.

CASE NO. PUE010482

For permanent licenses to conduct  
business as an electric and natural  
gas competitive service provider  
and aggregator

ORDER FOR NOTICE AND COMMENT

On August 31, 2001, Dominion Retail, Inc., ("Dominion Retail" or "the Company"), filed an application with the State Corporation Commission ("Commission") to convert and expand its pilot licenses, License Nos. PE-2B, PG-19, and PA-12, to permanent licenses to provide competitive electric and natural gas services and to act as an aggregator to residential, commercial, and industrial customers throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice.<sup>1</sup> The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40.

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<sup>1</sup> These pilot licenses permit the Company to operate in the electric retail access programs of Virginia Electric and Power Company's ("Virginia Power"), American Electric Power-Virginia ("AEP-VA"), and Rappahannock Electric Cooperative ("REC"), and in the natural gas retail access pilot programs of Columbia Gas of Virginia, Inc., ("CGV"), and Washington Gas Light Company ("WGL").

On July 5, 2000, CNG Retail Services Corporation d/b/a Dominion Retail ("CNGR") filed an application for a license to conduct business as an electric competitive service provider to residential and small commercial customers in Virginia Power retail access pilot program. By Order dated August 23, 2000, in Case No. PUE000352, CNGR was issued License No. PE-2 to provide competitive electric supply service to such customers in Virginia Power's retail access pilot program.

On October 11, 2000, CNGR made a filing with the Commission advising that it had changed its corporate name to Dominion Retail, Inc., and requested that its license be amended to reflect the new corporate name. On October 24, 2000, in Case No. PUE000352, the Commission canceled License No. PE-2 and reissued it as License No. PE-2A in the name of Dominion Retail, Inc.

On May 25, 2001, Dominion Retail filed an application to amend its license so that it could also conduct business as an electric and natural gas competitive service provider and to act as an aggregator, serving all customer classes in conjunction with other electric and natural gas pilot programs. This application sought authority to provide such services to residential, commercial, and industrial customers participating in the electric retail access pilot programs of Virginia Power,

AEP-VA, and REC, and in the natural gas retail access pilot programs of CGV, and WGL.

After providing notice and opportunity for hearing, and receiving no comments from the public, and after considering its Staff's Report and the Company's response thereto, the Commission issued an Order on July 9, 2001, in Case No. PUE000352, that, among other things, amended Dominion Retail's License No. PE-2A to PE-2B to allow it to provide competitive electric supply service to residential, commercial, and industrial customers in conjunction with the retail access pilot programs of Virginia Power, AEP-VA, and REC; granted the Company License No. PG-19 to provide competitive natural gas service to residential, commercial, and industrial retail customers in conjunction with the retail access pilot program of CGV; granted License No. PA-12 to provide aggregation services to residential, commercial, and industrial customers in conjunction with the retail access pilot programs of CGV, Virginia Power, AEP-VA, and REC; granted License No. G-1 to provide competitive natural gas service to residential, commercial, and industrial retail customers in conjunction with the natural gas retail supply choice program of WGL;<sup>2</sup> and granted License No. A-1 to

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<sup>2</sup> By Commission Order dated March 7, 2001, in Case No. PUE000474, the Commission approved an application by WGL to implement on a permanent basis natural gas retail supply choice to all of its customers in Virginia, including those served by its Shenandoah Gas Division. Therefore, the

provide aggregation services to residential, commercial, and industrial customers in conjunction with the natural gas retail supply choice program of WGL.

On June 19, 2001, the Commission entered its Final Order in Case No. PUE010013, adopting its Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules"), 20 VAC 5-312-10, et seq.<sup>3</sup> Page 6 of this Order provided that each competitive service provider who wished to convert its pilot license to a permanent license to participate in retail access must submit a request to do so in writing to the Commission on or before August 31, 2001. We directed that: (i) each such request must include an attestation that the information provided and updated in its application for a pilot license is true and correct, (ii) the Company must attest that it will abide by all applicable regulations of the Commission, as required by 20 VAC 5-312-40 B, and (iii) the Company must include any changes to information previously provided to the Commission, as required by 20 VAC 5-312-20 R.

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Commission treated Dominion Retail's request to participate in WGL's pilot as a request to participate in its natural gas retail supply choice program.

<sup>3</sup> Commonwealth of Virginia, At the relation of the State Corporation Commission, Ex Parte: In the matter of establishing rules for retail access, Case No. PUE010013, Document Control Center No. 010630011, Final Order (June 19, 2001).

NOW UPON CONSIDERATION of Dominion Retail's application to convert its present licenses to permanent licenses, the Commission is of the opinion and finds that Dominion Retail's application should be docketed; that this Order should be served upon appropriate persons; and that these persons should have an opportunity to comment on Dominion Retail's application.

Accordingly, IT IS ORDERED THAT:

(1) This application shall be docketed and assigned Case No. PUE010482.

(2) A copy of the application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, during the Commission's regular hours of operation, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.

(3) On or before September 19, 2001, Dominion Retail shall serve a copy of this Order upon each utility listed on Attachment A to this Order.

(4) Any interested person may request a copy of the application, accompanying materials, and this Order by directing a request in writing to the Company, c/o James R. Kibler, Jr., Esquire, McCandlish Kaine, 1111 East Main Street, Suite 1500, P. O. Box 796, Richmond, Virginia 23218. The Company shall, within

three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(5) An original and fifteen (15) copies of any comments on the application shall be filed on or before September 28, 2001, with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P. O. Box 2118, Richmond, Virginia 23218-2118. Comments must refer to Case No. PUE010482. A copy of such comments must also be served on or before September 28, 2001, by first-class mail, or hand-delivered, to the Company, c/o James R. Kibler, Jr., Esquire, McCandlish Kaine, 1111 East Main Street, Suite 1500, P. O. Box 796, Richmond, Virginia 23218.

(6) On or before October 5, 2001, the Company and the Staff of the Commission may each file with the Clerk of the Commission an original and fifteen (15) copies of any response they may have to any comments that have been filed and the captioned application, and shall serve a copy of such response on the Company and Staff, as appropriate, as well as upon any person submitting comments.

(7) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall

be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-10, et seq.

(8) This matter shall be continued generally.